

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN MAGANA,

Plaintiff,

v.

COUNTY OF KERN, et al.,

Defendants.

No. 1:23-cv-00561 KES GSA (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

Plaintiff, a former county jail inmate proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 26, 2025, the magistrate judge issued findings and recommendations that this matter be dismissed without prejudice due to plaintiffs' failure to prosecute. Doc. 8. Those findings and recommendations were served on plaintiff; however, because plaintiff could not "be located and because no viable Defendants ha[d] been identified and served, no period of time to file objections [were] given." *Id.* at 4. To date, plaintiff has not filed objections to the findings and recommendations.

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1 Although it appears from the docket that plaintiff's copy of the findings and  
2 recommendations was returned as undeliverable, plaintiff was properly served. *See* L.R. 182(f).  
3 This is the second time that plaintiff's mail has been returned to the Court.<sup>1</sup> More than thirty days  
4 have passed since plaintiff was required to file a notice of change of address with the Court. L.R.  
5 183(b). Pursuant to Local Rule 182(f), service of documents at the prior address of record of the  
6 party is fully effective.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de  
8 novo review of this case. Having carefully reviewed the file, the Court finds the findings and  
9 recommendations to be supported by the record and by proper analysis.

10 Accordingly:

- 11 1. The findings and recommendations issued February 26, 2025 (Doc. 8), are adopted  
12 in full;
- 13 2. This matter is dismissed, without prejudice, for failure to prosecute; and
- 14 3. The Clerk of the Court is directed to close this case.

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17 IT IS SO ORDERED.

18 Dated: April 7, 2025

  
UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> On January 17, 2025, the Court's screening order that had been sent to plaintiff's address of  
record was returned marked "Undeliverable, Unable to Forward."